

Summons in a Civil Action (Rev 11/87)

**United States District Court**

**SOUTHERN DISTRICT OF CALIFORNIA**

**BEN GILES,**  
Plaintiff,

vs

**JUSTIN PAUL THOMPSON,**  
WATER TOYS, INC., ISLAND BOAT  
RENTALS, KDME, INC., and DOES I  
through L, inclusive,

Defendants.

**FILED**  
08 MAR 10 PM 12:19  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY: **DEPUTY**  
**SUMMONS IN A CIVIL ACTION**  
Case No. **08 CV 0439 L RBB**

TO: (Name and Address of Defendant)

WATER TOYS  
1641 Quivera Road  
San Diego, CA 92109

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and  
serve upon PLAINTIFF'S ATTORNEY

THOMAS F. FRIEDBERG, ESQ. (#110439) (619)557-0101 "tom@lawofficefb.com"  
LAW OFFICES OF FRIEDBERG & BUNGE  
610 WEST ASH STREET, SUITE 1400, PO BOX 6814, SAN DIEGO, CA 92166-0814

An answer to the complaint which is herewith served upon you, within 20 days after  
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment  
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK

3/10/08

DATE

By **C. PUTZMANN** Deputy Clerk

Summons in a Civil Action

Page 1 of 2

1 Thomas F. Friedberg, SBN 110439  
2 LAW OFFICES OF FRIEDBERG & BUNGE  
3 610 West Ash Street  
4 Suite 1400  
5 San Diego, CA 92101  
6 (619) 557-0101

7 Attorney(s) for Ben Giles

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 Plaintiff: Ben Giles

Case No: 08 CV 0439 L RBB

11 Defendant: Justin Paul Thompson, et al.

PROOF OF SERVICE

- 12 1. At the time of service I was at least 18 years of age and not a party to this action, and I served  
13 copies of the:

14 SUMMONS IN A CIVIL ACTION; COMPLAINT

- 15 2. a. Party served: Water Toys, Inc.  
16 b. Person served: Andrew Kurtz, Manager  
17 c. Place of Service: 1641 Quivera Road  
18 San Diego, CA 92109  
19 {Business}


- 20 3. I served the party named in item 2  
21 a. By personally delivering copies to the person served.  
22 (1) on: March 13, 2008  
23 (2) at: 9:55 a.m.

- 24 4. Person serving:  
25 RUEBEN RODRIGUEZ  
26 CALEXPRESS  
27 1302 Kettner Boulevard  
28 San Diego, CA 92101  
(619) 685-1122

- a. Fee for Service: \$ 20.00  
e. Exempt from registration under  
Bus. & Prof. Code 22350(b)

5. I declare under penalty of perjury under the laws of the State of California that the foregoing is  
true and correct.

Date: March 13, 2008

Signature: 

1 Thomas F. Friedberg, SBN 110439  
2 LAW OFFICES OF FRIEDBERG & BUNGE  
3 610 West Ash Street  
4 Suite 1400  
5 San Diego, CA 92101  
6 (619) 557-0101

7 Attorney(s) for Ben Giles

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 Plaintiff: Ben Giles

Case No: 08 CV 0439 L RBB

11 Defendant: Justin Paul Thompson, et al.

**PROOF OF SERVICE BY MAIL**

12 I, the undersigned, certify and declare as follows:

13 I am over the age of 18 years, and not a party to this action. My business address is 1302 Kettner  
14 Boulevard, San Diego, CA 92101, which is located in the county where the mailing described  
15 below took place.

16 I am readily familiar with the business practice at my place of business for collection and processing  
17 of correspondence for mailing with the United States Postal Service. Correspondence so collected  
18 and processed is deposited with the United States Postal Service that same day in the ordinary  
19 course of business.

20 On March 13, 2008 at my place of business at San Diego, California, copy of the:

21 SUMMONS IN A CIVIL ACTION; COMPLAINT

22 were placed for deposit in the United States Postal service in a sealed envelope with postage  
23 prepaid, addressed to:

24 WATER TOYS, INC.  
25 1641 QUIVERA ROAD  
26 SAN DIEGO, CA 92109

27 and that envelope was placed for collection and mailing (by first-class mail, postage prepaid) on that  
28 date following ordinary business practice.

I certify and declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct.

Executed on March 13, 2008 at San Diego, California.

  
ARIEL PANTANELLA